

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KENNETH COLLINS,

v.

**MICHAEL NUTTER; LOUIS GIORLA; and
JOHN DELANEY**

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CIVIL ACTION

No. 13-1848

ORDER

AND NOW, this 4th day of February, 2015, upon consideration of plaintiff's complaint (paper no. 5), defendants' motion to dismiss for failure to state a claim (paper no. 12), and plaintiff's response to defendants' motion to dismiss (paper no. 13), and for the reasons set forth in the accompanying memorandum, it is **ORDERED**:

1. Defendants' motion to dismiss plaintiff's complaint is **GRANTED**.
2. Plaintiff is given leave to file and serve an amended complaint stating a plausible claim against viable defendants under 42 U.S.C. § 1983 **on or before March 23, 2015**. Failure to do so will result in the dismissal of this action.

/s/ Norma L. Shapiro

Norma L. Shapiro
United States District Judge